

AMENDED IN ASSEMBLY APRIL 9, 2008

AMENDED IN ASSEMBLY APRIL 3, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 2808

Introduced by Assembly Member Garcia

February 22, 2008

An act to add Article 7 (commencing with Section 32070) to Chapter 1 of Part 19 of Division 1 of Title 1 of the Education Code, relating to green schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 2808, as amended, Garcia. Green schools: nontoxic cleaning materials.

(1) Existing law establishes the public school system in this state, and, among other things, provides for the establishment of school districts throughout the state and for their provision of instruction at the public elementary and secondary schools they operate and maintain. Existing law also authorizes the establishment of private elementary and secondary schools. Existing law imposes various safety requirements, related to fire drills, eye safety, first aid equipment, and toxic art supplies, that are applicable to both public and private elementary and secondary schools.

This bill would express findings and declarations of the Legislature relating to the potential health benefits of green schools. The bill, commencing with the 2012–13 school year, would require public and private elementary and secondary schools to use nontoxic cleaning materials, as defined, *when a viable alternative to toxic cleaning materials exists*. The bill would require the governing authority, as

defined, of each a school to be responsible for the implementation of the bill, including the removal from the schoolsite of cleaning materials that do not meet the requirements of the bill. To the extent that this bill requires public schools to perform additional duties with respect to the use of cleaning materials and because education is the essential function of public schools, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:

3 (1) Throughout the United States, over 55,000,000 pupils and
4 more than 5,000,000 faculty, staff, and administrators spend their
5 days in school buildings.

6 (2) Greening school buildings is a significant opportunity to
7 have a major impact on human, environmental, and economic
8 health.

9 (3) Children in green schools are healthier and more productive
10 because green schools emphasize excellence in the areas of day
11 lighting, acoustics, and classroom design, all of which have
12 profound impacts on children's ability to learn.

13 (4) Green schools have superior indoor air quality and thermal
14 comfort, and this significantly reduces pupils' exposure to
15 chemicals and environmental toxins.

16 (5) The benefits of cleaner indoor air quality have been linked
17 to reduced incidence of asthma, allergies, and absenteeism in
18 pupils, as well as increased teacher retention rates.

19 (6) Green schools use water and energy at greatly reduced rates,
20 thus costing less to operate and generating significant financial
21 savings.

(7) Indoor air quality is a critical component in the provision and maintenance of a healthy and comfortable learning environment.

(8) Poor indoor air quality can reduce a person's ability to perform specific mental tasks requiring concentration, calculation, or memory.

(b) Therefore, it is the intent of the Legislature to enact legislation that, commencing with the 2012–13 school year, would require that all public and private elementary and secondary schools in California use cleaning products that are environmentally friendly.

SEC. 2. Article 7 (commencing with Section 32070) is added to Chapter 1 of Part 19 of Division 1 of Title 1 of the Education Code, to read:

Article 7. Nontoxic Cleaning Materials

32070. (a) Commencing with the 2012–13 school year, a public or private elementary or secondary school shall use only nontoxic cleaning materials. ~~Cleaning materials used by a public or private school prior to the 2012–13 school year that does not meet the requirements of this section shall be removed from the schoolsite.~~ *cleaning materials when a viable alternative to toxic cleaning materials exists. Cleaning materials for which a viable, nontoxic alternative to toxic cleaning materials exists, include, but are not limited to, glass cleaner, all purpose cleaner, laundry detergent, and dishwashing liquid and detergent.*

(b) The governing authority of ~~each~~ a public or private elementary and secondary school shall be responsible for the implementation of this article, including, but not necessarily limited to, the removal of cleaning materials that do not meet the requirements of this section *from each schoolsite*.

(c) As used in this article:

(1) “Environmentally friendly” refers to goods, services, and practices that are deemed to inflict no harm or negligible harm on the environment.

(2) “Governing authority,” with respect to a public school, means the governing board of the school district in which the public school is located. With respect to a private school, “governing

1 authority” means the body or individual responsible for the
2 operation and control of the institution.

3 (3) “Nontoxic cleaning material” means a cleaning material that
4 is a biodegradable and environmentally friendly product that is
5 made with natural or naturally derived ingredients and free of
6 ozone-depleting compounds and substances that contribute to air
7 pollution or to the buildup of “greenhouse” gases.

8 SEC. 3. If the Commission on State Mandates determines that
9 this act contains costs mandated by the state, reimbursement to
10 local agencies and school districts for those costs shall be made
11 pursuant to Part 7 (commencing with Section 17500) of Division
12 4 of Title 2 of the Government Code.